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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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INDIA: Climate of impunity allows extrajudicial executions to go unchecked

The Asian Legal Resource Centre (ALRC) is writes to the United Nations Human Rights Council seeking its attention and intervention considering the violent culture of extrajudicial, summary and arbitrary executions in India.

The violent climate operating in India is allowed to flourish to the lack of accountability and encouragement of impunity for security forces and police officials that carry out these executions. The ALRC is deeply concerned with the breakdown of rule of law in many parts of the country, notable Uttar Pradesh, Manipur, Indian Administered Kashmir and others, both conflict zones and otherwise, where extrajudicial executions take place with an alarming regularity. These executions are often allowed to continue with state approval making it state-sponsored crime, the most difficult crimes to obtain justice for due to the veritable capture of public institutions.

The ALRC places on record its deep anguish in the manner in which the Tamil Nadu State government and the Tuticorin police have handled protesters in Tuticorin, who were protesting the Sterlite copper plant of the Vedanta company, and the pollution caused by it. Protesting for the last 100 days, the protests turned violent and the police opened fire on the protesters, killing 11 and injuring many. According to People's Watch, human rights organisation in Tamil Nadu, the protest turned violent after the police firing, which was also by police in plain clothes. The gross inaction of the state government for over 3 months, failing to heed the protestor's concerns have resulted in this deplorable situation of arbitrary executions, in the name of 'law and order'.

In Manipur, the ALRC's sister organisation, AHRC issued an urgent appeal to ensure protection for the whistle-blower killer cop, Herojit Singh who confessed to executing many innocent and unarmed people in the fight against the insurgency, maintaining details of who ordered the kills and other details in his diaries. These diaries were confiscated by the officials and he feared for his life, as he was also prevented from deposing in ongoing cases. Herojit's confessions are startling and serious and must be dealt with urgency as it exposed the rot within our policing system and the complete breakdown of rule of law and our criminal justice institutions.

The people of India deserve the benefits of due process and rule of law The ALRC urges the UN Human Rights Council to engage with the Government to India to put an end to illegal and violent policing that is becoming the order the day, replacing due process and justice processed. The ALRC urges GOI and the state governments to ensure strict action is taken against those law-enforcement officials that are engaging in these 'encounter' killing which are illegal and inhumane. The law of the land mist be followed and no one is above it.